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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MANUEL ANTONIO GONZALEZ,  
Plaintiff,  
v.  
J. RAZO, et al.,  
Defendants.

1:15-cv-01098-DAD-EPG (PC)  
ORDER GRANTING IN PART PLAINTIFF’S  
MOTION FOR COPY OF SERVICE  
DOCUMENTS, EXTENSION OF TIME, AND  
LEAVE TO AMEND  
(ECF NO. 41)  
ORDER DIRECTING CLERK OF COURT TO  
SEND PLAINTIFF A COPY OF ORDER, AND  
TO SEND PLAINTIFF’S COUNSEL A COPY  
OF THE ORDER FINDING SERVICE OF  
COMPLAINT APPROPRIATE  
(ECF NO. 36)

Manuel Antonio Gonzalez (“Plaintiff”) is a state prisoner, and is the plaintiff in this civil rights action filed pursuant to 42 U.S.C. § 1983, which includes attendant state law claims.

On February 13, 2017, Plaintiff filed a motion (“the Motion”) asking the Court to send his counsel a copy of the service documents, for an extension of time of sixty days for his counsel to complete and return the service documents, and for his counsel to have leave to amend the complaint if necessary. (ECF No. 41).

The Motion will be granted in part. To begin, the Court notes that Plaintiff’s counsel should already have access to the necessary service documents, and therefore should not need the Court to send him copies. Additionally, if Plaintiff’s counsel needs additional time to meet

1 deadlines in this case, he can request it himself. Finally, if Plaintiff's counsel believes that an  
2 amended complaint is necessary, he can file a motion for leave to amend. Plaintiff should not be  
3 filing motions on his counsel's behalf. Now that counsel is in the case, counsel must appear for  
4 Plaintiff.

5 However, given that Plaintiff's counsel only recently substituted into the case, and that he  
6 substituted into the case after the Court entered its order finding service of the complaint  
7 appropriate, the Court will grant Plaintiff's motion insofar as it requests that a copy of the order  
8 finding service of the complaint appropriate be sent to Plaintiff's counsel, and will grant  
9 Plaintiff's counsel an additional thirty days from the date of service of this order to complete and  
10 return the service documents.

11 Accordingly, based on the foregoing, **IT IS HEREBY ORDERED** that:

- 12 1. The Motion is GRANTED IN PART;
- 13 2. The Clerk of Court is directed to send Plaintiff's counsel a copy of the Court's  
14 order finding service of the complaint appropriate (ECF No. 36);
- 15 3. Plaintiff's counsel is granted 30 days from the date of service of this order to  
16 complete and return the service documents;
- 17 4. Plaintiff's request for leave to amend is denied, without prejudice; and
- 18 5. The Clerk of Court is directed to send Plaintiff a copy of this order.

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21 IT IS SO ORDERED.

22 Dated: February 22, 2017

23 /s/ Eric P. Gray  
24 UNITED STATES MAGISTRATE JUDGE